

JS 44 (Rev. 12/07)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

L. (a) PLAINTIFFS.

Shahla Mazdeh

(b) County of Residence of First Listed Plaintiff Delaware
(EXCEPT IN U.S. PLAINTIFF CASES)(c) Attorney's Firm Name, Address, and Telephone Number
Pro se 230 E. Leamy Ave.Springfield, PA 19064

DEFENDANTS

School District of Philadelphia, Foundations, Inc., Philadelphia Federation of Teachers

County of Residence of First Listed Defendant Philadelphia

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

<input type="checkbox"/> 1 U.S. Government Plaintiff	<input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)
<input type="checkbox"/> 2 U.S. Government Defendant	<input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

Plaintiff Citizen of This State	Defendant Citizen of This State	Plaintiff Incorporated or Principal Place of Business in This State	Defendant Incorporated or Principal Place of Business in This State
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

IV. NATURE OF SUIT (Place an "X" in One Box Only)

PERSONAL TORTS		CORPORATE TORTS		BANKRUPTCY		WILLINGNESS TO SETTLE	
<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> PERSONAL INJURY	<input type="checkbox"/> 410 Agriculture	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 400 State Respondent	<input type="checkbox"/> 410 Arrested		
<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 420 Banks and Banking	<input type="checkbox"/> 430 Commerce		
<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 425 Drug Related Seizure of Property 21 USC 881	<input type="checkbox"/> 430 Liquor Laws	<input type="checkbox"/> 430 Deportation	<input type="checkbox"/> 440 Racketeer Influenced and Corrupt Organizations		
<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 435 Personal Injury - Product Liability	<input type="checkbox"/> 440 R.R. & Truck	<input type="checkbox"/> 450 Consumer Credit	<input type="checkbox"/> 450 Cable/Sat TV		
<input type="checkbox"/> 150 Recovery of Overpayment or Enforcement of Judgment	<input type="checkbox"/> 330 Federal Employers' Liability	<input type="checkbox"/> 438 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 450 Airline Regs.	<input type="checkbox"/> 460 Selective Service	<input type="checkbox"/> 470 Securities/Commodities/ Exchange		
<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 340 Marine	<input type="checkbox"/> 439 Other Fraud	<input type="checkbox"/> 460 Occupational Safety/Health	<input type="checkbox"/> 480 Other	<input type="checkbox"/> 480 Customer Challenge		
<input type="checkbox"/> 152 Recovery of Defrauded Student Loans (Excl. Veterans)	<input type="checkbox"/> 345 Marine Products Liability	<input type="checkbox"/> 371 Truth in Lending	<input type="checkbox"/> 461 HIA (1395f)	<input type="checkbox"/> 482 Black Lung (923)	<input type="checkbox"/> 490 12 USC 3410		
<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 350 Motor Vehicles	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 463 DIFC/CDIW (405(g))	<input type="checkbox"/> 490 Other Statutory Actions	<input type="checkbox"/> 500 Agricultural Acts		
<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 355 Motor Vehicles	<input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 464 DIFC/CDIW (405(g))	<input type="checkbox"/> 491 Economic Stabilization Act	<input type="checkbox"/> 510 Taxic (U.S. Plaintiff or Defendant)		
<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 470 Railway Labor Act	<input type="checkbox"/> 465 RSI (405(g))	<input type="checkbox"/> 492 Environmental Matters	<input type="checkbox"/> 520 Freedom of Information Act		
<input type="checkbox"/> 195 Contract Product Liability		<input type="checkbox"/> 710 Fair Labor Standards Act	<input type="checkbox"/> 471 Other Labor Litigation	<input type="checkbox"/> 493 Energy Allocation Act	<input type="checkbox"/> 530 Conscientious Objection of State Statutes		
<input type="checkbox"/> 196 Franchise		<input type="checkbox"/> 720 Labor/Mgmt. Relations	<input type="checkbox"/> 471 Emp. Ret. Inc. Security Act	<input type="checkbox"/> 494 Miscellaneous			
		<input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act	<input type="checkbox"/> 472 Title VII	<input type="checkbox"/> 495 Other			
		<input type="checkbox"/> 740 Railway Labor Act	<input type="checkbox"/> 473 Title IX				
		<input type="checkbox"/> 750 Other Labor Litigation	<input type="checkbox"/> 474 Title VII—Train Party 26 USC 7609				
		<input type="checkbox"/> 760 Other Civil Rights					
REAL PROPERTY		CIVIL RIGHTS		PRISONER PETITIONS		SOCIAL SECURITY	
<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 510 Motions to Vacate Sentence Hobbs Corpus	<input type="checkbox"/> 861 HIA (1395f)	<input type="checkbox"/> 861 HIA (1395f)	<input type="checkbox"/> 862 Black Lung (923)	<input type="checkbox"/> 875 Customer Challenge	
<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 515 Accommodations Hobbs Corpus	<input type="checkbox"/> 862 Black Lung (923)	<input type="checkbox"/> 863 DIWC/DIW (405(g))	<input type="checkbox"/> 876 Taxic (U.S. Plaintiff or Defendant)	<input type="checkbox"/> 880 12 USC 3410	
<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 443 Housing/ Accommodations	<input type="checkbox"/> 520 General	<input type="checkbox"/> 864 SSI Title XVI	<input type="checkbox"/> 864 SSI Title XVI	<input type="checkbox"/> 877 Other Statutory Actions	<input type="checkbox"/> 881 Agricultural Acts	
<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 444 Welfare	<input type="checkbox"/> 535 Death Penalty	<input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 882 Economic Stabilization Act	<input type="checkbox"/> 883 Environmental Matters	
<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 445 Amer. w/Disabilities - Employment	<input type="checkbox"/> 540 Mandamus & Other	<input type="checkbox"/> 870 Title (U.S. Plaintiff or Defendant)	<input type="checkbox"/> 870 Title (U.S. Plaintiff or Defendant)	<input type="checkbox"/> 884 Energy Allocation Act	<input type="checkbox"/> 885 Freedom of Information Act	
<input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 446 Amer. w/Disabilities - Other	<input type="checkbox"/> 550 Civil Rights	<input type="checkbox"/> 871 IRS—Train Party 26 USC 7609	<input type="checkbox"/> 871 IRS—Train Party 26 USC 7609	<input type="checkbox"/> 886 Appellate of Fee Determination Under Equal Access to Justice	<input type="checkbox"/> 887 Conscientious Objection of State Statutes	
	<input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 555 Prison Condition					
IMMIGRATION		PETITIONS FOR IMMIGRATION		FEDERAL TAXATION		GENERAL STATE SUBJECT MATTER	
		<input type="checkbox"/> 452 Naturalization Application	<input type="checkbox"/> 462 Naturalization Application	<input type="checkbox"/> 872 Taxic (U.S. Plaintiff or Defendant)	<input type="checkbox"/> 872 Taxic (U.S. Plaintiff or Defendant)	<input type="checkbox"/> 888 Miscellaneous	<input type="checkbox"/> 889 Miscellaneous
		<input type="checkbox"/> 463 Hobbs Corpus - Alien Detainee	<input type="checkbox"/> 463 Hobbs Corpus - Alien Detainee	<input type="checkbox"/> 873 Title VII	<input type="checkbox"/> 873 Title VII	<input type="checkbox"/> 890 Title VII	<input type="checkbox"/> 891 Title VII
		<input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 874 Title VII	<input type="checkbox"/> 874 Title VII	<input type="checkbox"/> 892 Title VII	<input type="checkbox"/> 893 Title VII

V. ORIGIN

(Place an "X" in One Box Only)

 1 Original Proceeding 2 Removed from State Court 3 Remanded from Appellate Court 4 Reinstated or Reopened 5 Transferred from another district (Specify) 6 Multidistrict Litigation

Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

Check the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

42 U.S.C. § 2000e et seq.

Brief description of cause:

Employment discrimination based on gender and/or national origin

VII. REQUESTED IN COMPLAINT:

 CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See Instructions):

JUDGE

DOCKET NUMBER

DATE

11/10/2008

SIGNATURE OF ATTORNEY OF RECORD

Shahla Mazdeh

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFFP

JUDGE

MAG. JUDGE

Designation Form Continued Page
List of Defendants

SCHOOL DISTRICT OF PHILADELPHIA
440 N. Broad Street
Philadelphia, PA 19140

FOUNDATIONS, INC.
Moorestown West Corporate Center
2 Executive Drive, Suite 1
Moorestown, NJ 08057

PHILADELPHIA FEDERATION OF TEACHERS
1816 Chestnut Street
Philadelphia, PA 19103

APPENDIX I

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIACASE MANAGEMENT TRACK DESIGNATION FORM

Shahla Mazdeh	:	CIVIL ACTION
v.	:	
School District of Philadelphia, et al.	:	NO.

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a case management track designation form specifying the track to which that defendant believes the case should be assigned.

SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:

- (a) Habeas Corpus – Cases brought under 28 U.S.C. §2241 through §2255. ()
- (b) Social Security – Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits ()
- (c) Arbitration – Cases required to be designated for arbitration under Local Civil Rule 53.2. ()
- (d) Asbestos – Cases involving claims for personal injury or property damage from exposure to asbestos. ()
- (e) Special Management – Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) ()
- (f) Standard Management – Cases that do not fall into any one of the other tracks. (x)

<u>11/10/2008</u>	<u>Shahla Mazdeh</u>	
Date	Attorney-at-law Pro Se	Attorney for
<u>610 357 8479</u>	<u></u>	<u>sma2184@yahoo.com</u>
Telephone	FAX Number	E-Mail Address

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF PENNSYLVANIA — DESIGNATION FORM to be used by counsel to indicate the category of the case for the purpose of assignment to appropriate calendar.

Address of Plaintiff: Shahla Mazdeh, 230 E. Leamy Ave., Springfield, PA 19064

Address of Defendant: See attached list.

Place of Accident, Incident or Transaction: Philadelphia, Pennsylvania
(Use Reverse Side For Additional Space)

Does this civil action involve a non-governmental corporate party with any parent corporation and any publicly held corporation owning 10% or more of its stock?
(Attach two copies of the Disclosure Statement Form in accordance with Fed.R.Civ.P. 7.1(a))

Yes No

Does this case involve multidistrict litigation possibilities?

Yes No

RELATED CASE, IF ANY:

Case Number: _____ Judge: _____ Date Terminated: _____

Civil cases are deemed related when yes is answered to any of the following questions:

1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court?
Yes No
2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court?
Yes No
3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action in this court?
Yes No
4. Is this case a second or successive habeas corpus, social security appeal, or pro se civil rights case filed by the same individual?
Yes No

CIVIL: (Place in ONE CATEGORY ONLY)

A. Federal Question Cases:

1. Indemnity Contract, Marine Contract, and All Other Contracts
2. FSLA
3. Jones Act-Personal Injury
4. Antitrust
5. Patent
6. Labor-Management Relations
7. Civil Rights
8. Habeas Corpus
9. Securities Act(s) Cases
10. Social Security Review Cases
11. All other Federal Question Cases
(Please specify)

B. Diversity Jurisdiction Cases:

1. Insurance Contract and Other Contracts
2. Airplane Personal Injury
3. Assault, Defamation
4. Marine Personal Injury
5. Motor Vehicle Personal Injury
6. Other Personal Injury (Please specify)
7. Products Liability
8. Products Liability — Asbestos
9. All other Diversity Cases
(Please specify)

ARBITRATION CERTIFICATION

(Check appropriate Category)

I, Shahla Mazdeh, ^{Attorney at Law} _{pro se}, ^{complaint} ^{defendant} do hereby certify:

Pursuant to Local Civil Rule 53.2, Section 3(e)(2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs;

Relief other than monetary damages is sought.

DATE: 11/10/2008

Shahla Mazdeh
^{Attorney at Law} _{pro se}

N/A

^{Attorney I.D.#}

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

I certify that, to my knowledge, the within case is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: 11/10/2008

Shahla Mazdeh
^{Attorney at Law} _{pro se}

N/A

^{Attorney I.D.#}

CIV. 609 (6/08)

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<i>SHAHLA MAZDEH</i>	:	
<i>230 East Leamy Avenue</i>	:	
<i>Springfield, PA 19064</i>	:	<i>CIVIL ACTION</i>
<i>Plaintiff</i>		:
		:
<i>v.</i>	:	<i>No.</i>
SCHOOL DISTRICT OF PHILADELPHIA		
<i>440 N. Broad Street</i>	:	
<i>Philadelphia, PA 19140</i>	:	
<i>And</i>		:
		:
FOUNDATIONS, INC.	:	
<i>Moorestown West Corporate Center</i>	:	
<i>2 Executive Drive, Suite 1</i>	:	
<i>Moorestown, NJ 08057</i>	:	
<i>And</i>		:
PHILADELPHIA FEDERATION OF		
TEACHERS		
<i>1816 Chestnut Street</i>	:	
<i>Philadelphia, PA 19103</i>	:	
<i>Defendant</i>	:	<i>JURY TRIAL DEMANDED</i>

COMPLAINT

AND NOW, Plaintiff, Shahla Mazdeh, hereby files the following Complaint and avers:

A. JURISDICTION, VENUE AND NATURE OF ACTION

1. This Complaint seeks declaratory and injunction relief, back pay, front pay, damages, costs, counsel fees and other relief. The jurisdiction of this Court is invoked pursuant to Title VII of the Civil Rights Act of 1964, as amended, 42, U.S.C. §2000e, *et. seq.*

2. This action is also brought pursuant to the Pennsylvania Human Relations Act, 43 P.S. §951, *et. seq.* which claims are within the Court's pendant jurisdiction.

3. Plaintiff seeks relief from and redress for various unlawful acts and practices of employment discrimination that were committed by the defendant against her on the basis of her gender and/or national origin - Iranian, in violation of Title VII.

4. Additionally, Plaintiff seeks relief and redress for various unlawful acts and practices of employment discrimination that were committed by Defendant against her on the basis of her gender and/or national origin - Iranian in violation of the Pennsylvania Human Relations Act, 43 P.S. Section 955(a).

5. This action is properly brought in this district because Plaintiff and Defendant reside and/or have offices and conduct business here; the claims arose here; and the unlawful acts and employment practices occurred here.

6. Plaintiff has duly complied with all jurisdictional and administrative requirements for filing suit under Title VII. Plaintiff filed a timely charge of discrimination against the Defendants with the Equal Employment Opportunity Commission ("EEOC") and the Philadelphia Human Relations Commission. On August 13, 2008 the EEOC issued a "Notice of Right to Sue".

B. PARTIES

7. Plaintiff, Shahla Mazdeh, is an adult individual who, at all times material hereto, resided at the above address. Plaintiff is female of Iranian heritage and is a member of the protected class as defined under Title VII.

8. Defendant, School District of Philadelphia, ("School District"), is a governmental entity organized and existing under the laws of the Commonwealth of Pennsylvania which maintains its principal offices at the above address. At all times material hereto, Defendant acted through its agents, servants, officers and employees, who were acting within the scope of their employment and authority and in the course of Defendant's business, mission and affairs.

9. Defendant, Foundations, Inc., is an organization with a place of business located at the above address. Plaintiff believes that Defendant contracts with School District to run certain schools and to provide educational services for elementary, middle and high school students. At all times material hereto, Defendant acted through its agents, servants, officers and employees, who were acting within the scope of their employment and authority and in the course of Defendant's business, mission and affairs.

10. Defendant, Philadelphia Federation of Teachers ("Union") is an organization with a place of business at the above address. Defendant is the recognized representative of teachers who work in the Philadelphia School District. At all times material hereto, Defendant acted through its agents, servants, officers and employees, who were acting within the scope of their employment and authority and in the course of Defendant's business, mission and affairs.

**COUNT I – VIOLATION OF TITLE VII – GENDER AND NATIONAL ORIGIN
DISCRIMINATION**

11. Plaintiff was employed by Defendant School District beginning in the 2000-2001 school year as an elementary school teacher.

12. Plaintiff was initially assigned to Tilden Middle School and worked there for approximately three years.

13. In 2003 Plaintiff was certified to teach at the High School level and was transferred to Overbrook High School for the 2003-2004 school year.

14. During her employment with Defendant School District, she was subjected to disciplinary actions that were discriminatory and was subjected to a hostile work environment.

15. Plaintiff transferred to Martin Luther King High School for the 2004 – 2005 school year where she worked as a math teacher.

16. At that time, Martin Luther King High School was run by Defendant Foundations on behalf of Defendant School District.

17. Plaintiff is married to Asad Abrahamian who is also a school teacher. Mr. Abrahamian began working at the Martin Luther King High School also in the 2004 – 2005 school year.

18. Shortly after he began working at Martin Luther King High School, an incident occurred in Mr. Abrahamian's classroom involving a student that was disruptive. When he attempted to report the problem and seek assistance, he was ignored. He tried to get in touch with Mrs. Divinny who was in charge of his floor. However, she was not in.

19. Mr. Abrahamian reported the problem to the school principal, Jane Adams, who he later learned was Mrs. Divinny's mother.

20. Principal Adams did not take any action in response to Mr. Abrahamian's report.

21. However after the incident, Mr. Abrahamian began to be subjected to a series of actions by Principal Adams and Mrs. Divinny.

22. Mr. Abrahamian complained about these actions to Principal Adams and then to the School District Superintendent.

23. He advised the Superintendent of the actions that had been taken against him and that he believed that he was being discriminated against.

24. Shortly after he complained to the Superintendent, Plaintiff began to be retaliated against by Mrs. Adams and Mrs. Divinny.

25. At the beginning of the second semester of the school year, the class list for Plaintiff's classroom and Mr. Abrahamian's classroom were switched with other teachers resulting in Plaintiff having a higher number of known problem students. This caused a serious disruption in Plaintiff's classroom and inhibited her ability to effectively teach her class.

26. When she complained to Principal Adams, Principal Adams brought Mrs. Divinny into the meeting who told her to accept the situation or leave.

27. Principal Adams and others in the school administration began writing up Plaintiff for incidents for which a write up was not appropriate.

28. Plaintiff became aware that someone had manufactured write ups on her dating back to the fall of 2004 in order to justify actions that were taken against her.

29. Plaintiff was subjected to discipline by the School District that was not justified and, Plaintiff believes, was not consistent with how other teachers were treated.

30. In March, 2005, Plaintiff and Mr. Abrahamian met with Mr. Paul Vallas, the CEO of the Philadelphia School District to discuss with him the ongoing pattern of harassment and discrimination that they had been subjected to.

31. As a result of that meeting, Mr. Vallas advised that Plaintiff and Mr. Abrahamian would be transferred to another school.

32. However, before that transfer could take place, they were notified that the transfer was cancelled.

33. Plaintiff was then subjected to improper disciplinary proceedings, one held without her being present, and her employment was ultimately terminated.

34. Plaintiff sought assistance through Defendant Union to dispute and oppose the campaign of false and improperly motivated discipline against her. However, Defendant Union continually and deliberately failed to represent her properly in fulfillment of its responsibility as her agent. In fact, rather than assisting Plaintiff in addressing the wrongs that she was suffering, the Union Representative advised Plaintiff to resign from her position with Defendant School District.

35. Defendants' actions, as set forth above, were in violation of Title VII, 42 U.S.C. §2000e *et seq.*, in that said acts resulted from and/or exhibited and/or were motivated by Defendants' intent to discriminate against Plaintiff on the basis of her gender and/or national origin in that:

- (a) Plaintiff's gender and/or national origin were a determining factor in Defendants' decision to terminate Plaintiff's employment;
- (b) Plaintiff's job performance was superior to that of similarly-situated and/or less qualified employees who were not terminated by Defendant;
- (c) Plaintiff's job performance equaled or excelled Defendants' legitimate expectations;

(d) Defendant School District/Foundations terminated Plaintiff's employment on asserted grounds which were false and pretextual and for which Defendant had no valid or legitimate basis;

(e) Defendant School District/Foundations terminated Plaintiff on the grounds of her gender and/or national origin, notwithstanding her superior performance, excellent skills, outstanding qualifications and exemplary work record;

(f) Defendants willfully, knowingly and/or intentionally and/or in reckless disregard of the law, applied unequal and unfair standards between Plaintiff and other employees with regard to decisions to terminate and retain employees, and the criteria and procedures that were applied thereto. Defendant's scheme, as described above, was so blatant, contrived, nefarious and outrageous that punitive and/or liquidated damages are appropriate;

(g) Defendant School District/Foundations willfully, knowingly and/or intentionally and/or in reckless disregard of the law fired Plaintiff, without good cause or any proper or legitimate business reasons for doing so, but rather, because of Plaintiff's gender and/or national origin and pursuant to Defendant's policy and practice of discrimination made unlawful by the law;

(h) Defendant Union knowingly and/or intentionally and/or in reckless disregard of the law failed to properly represent Plaintiff, without good cause or any proper or legitimate business reasons for doing so, but rather, because of Plaintiff's gender and/or national origin and pursuant to Defendant's policy and practice of discrimination made unlawful by the law;

(i) Defendants treated Plaintiff differently and less favorably than it treated similarly situated and/or less qualified employees, on the basis of Plaintiff's gender and/or national origin;

(I) Defendant School District/Foundations fired Plaintiff for no valid stated reason;

(j) Plaintiff enjoyed excellent working relationships with her co-workers, and she had no problems or difficulty relating to other employees;

36. Defendants' acts of discrimination against Plaintiff, as set forth above, were willful and intentional, and were the result of an intentional and deliberate decision by Defendants to violate and/or disregard the prohibitions of Title VII and/or were in reckless disregard of the prohibitions of Title VII, thereby entitling Plaintiff to an award of "punitive" damages.

37. As a proximate result of Defendants' said acts of race discrimination, Plaintiff has suffered a loss of salary, bonuses and employment benefits, as well as other damages.

COUNT I – VIOLATION OF TITLE VII – RETALIATION

38. Plaintiff hereby incorporates paragraphs 1 through 37 above by reference as if same were set forth in their entirety hereat.

39. Plaintiff avers that in addition to Defendants' intentional discrimination against her based on her gender and/or national origin, Defendants' retaliated against her based on her Husband's complaint of discrimination as set forth above.

COUNT III - PENNSYLVANIA HUMAN RELATIONS ACT

40. Plaintiff hereby incorporates paragraphs 1 through 39 above by reference as if same were set forth in their entirety hereat.

41. Defendants' conduct in discriminating against Plaintiff and terminating her employment on the basis of her gender and/or national origin, as set forth above, constitutes a violation of the Pennsylvania Human Relations Act ("PHRA"), 43 P.S. Section 951, *et seq.*

WHEREFORE, Plaintiff requests that judgment be entered in her favor and against Defendants, and that an appropriate Order be entered:

(a) declaring that Defendants' policies and practices were unlawful under Title VII, and enjoining Defendants and their agents, officers, successors, employees and those acting in concert with them, from engaging in acts, policies, and practices of gender/national origin discrimination that are in violation of 42 U.S.C. 2000e, *et seq.*.

(b) declaring that Defendants' policies and practices were unlawful under the PHRA and enjoining Defendant and its agents, officers, successors, employees and those acting in concert with them, from engaging in acts, policies, and practices of gender/national origin discrimination that are in violation of 43 P.S. Section 951 et. seq.

(c) Providing an award to Plaintiff of monetary relief, including lost earnings, back pay, front pay, lost bonuses and the monetary value of the employment benefits, together with interest, including, but not limited to, the value of salary and bonuses, pension benefits, retirement benefits, medical benefits, life insurance, stock options and other fringe benefits of employment which Plaintiff has lost, continues to lose, and will lose in the future as a result of Defendants' acts of gender/national origin discrimination against her, in an amount in excess of \$100,000.00.

(d) providing an award to Plaintiff of compensatory damages in amount in excess of \$100,000.00;

- (e) providing an award to Plaintiff of "punitive" damages;
- (f) compelling Defendant, School District, to reinstate Plaintiff to its employ or, in the alternative, awarding front pay to Plaintiff;
- (g) providing an award to Plaintiff of the costs and expenses of litigation, including a reasonable attorney's fee; and
- (h) providing to Plaintiff such other and further relief as the Court deems necessary and appropriate.

COUNT IV - BREACH OF DUTY OF FAIR REPRESENTATION - Mazdeh v. Philadelphia Federation of Teachers

42. Plaintiff hereby incorporates paragraphs 1 through 41 above by reference as if same were set forth in their entirety hereat.

43. At all times relevant hereto, Plaintiff was a member of the Union and was and is entitled to be represented throughout any disciplinary actions taken against her.

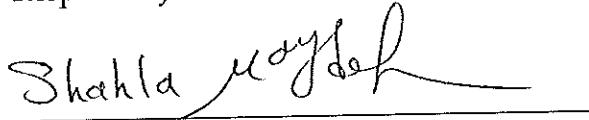
44. Defendant has failed to properly represent Plaintiff throughout the disciplinary actions that were taken against her despite its obligation to do so.

WHEREFORE, Plaintiff, demands that judgment be entered in her favor:

- a. enter an Order requiring the Defendant Union to represent Plaintiff as required and to pursue all actions on Plaintiff's behalf;
- b. awarding attorneys fees and costs;
- c. awarding other such relief as the Court deems appropriate and just.

Respectfully submitted,

By:



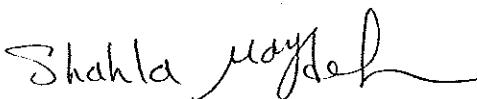
Shahla Mazdeh, Plaintiff

Date: November 9, 2008

DEMAND FOR JURY TRIAL

A jury consisting of a panel of at least twelve (12) members is hereby
DEMANDED.

Respectfully submitted,

By: 

Shahla Mazdeh